(3)

CF300h

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 302 /2004

1. GANESH CHATTERJEE SON OF SHRI KRIPANIDHAN CHATTERJEE AGED 32 YEARS PROPRIETOR M/S MEERA-KRIPA PLYWOOD NEAR CSEB SUBSTATION INDUSTRIAL AREA URLA RAIPUR,
2. SMT. MEERA CHATTERJEE WIFE OF SHRI KRIPANIDHAN CHATTERJEE BLOCK A/168 HOUSING BOARD COLONY NEAR STADIUM KOTA RAIPUR
3. KRIPANIDHAN CHATTERJEE SHRI KULADAPRASAD BLOCK A/168 HOUSING BOARD COLONY NEAR STADIUM KOTA RAIPUR

PETITIONERS

VS

1. UNION OF INDIA, THROUGH THE SECRETARY, MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS AND

P. R. No. 9652/04
Presented by Shri B.P.Sharma
dated 28.9.04

Received-Copy
Shri Yadav
28-09-04
Clerk to
VINAY HARIT
Senior Central Government Standing Counsel
CHHATTISGARH HIGH COURT

(4)

ALSO THROUGH THE SECRETARY, MINISTRY OF FINANCE NEW DELHI.

2. PUNJAB NATIONAL BANK A BANKING COMPANY CONSTITUTED UNDER THE RELEVANT PROVISIONS OF BANKING COMPANIES (ACQUISITION AND TRANSFER OF UNDERTAKINGS) ACT, HAVING ITS INTERALIA AMONGST OFFICES A BRANCH OFFICE AT STATION ROAD RAIPUR. **RESPONDENTS**

WRIT PETITION UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF WRITS IN THE NATURE OF MANDAMUS, CERTORARI AND /OR ORDER(S) AND /OR DIRECTION(S) IN THE NATURE OF WRITS.

The humble petition of the petitioner above named.

MOST RESPECTFULLY SHOWETH:

1. **PARTICULARS OF THE PETITIONERS**:

   As above in the cause title.

2. **PARTICULARS OF THE RESPONDENTS**:

   As above in the cause title.

XI-HC-22

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P 302/2004 सन् ~~200~~

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	DIVISION BENCH: **HON'BLE SHRI A.S.VENKATACHALA MOORTHY, CJ** **& HON'BLE SHRI FAKHRUDDIN, J.** **29/06/2004**: - Shri B.P. Sharma counsel for the petitioners. Shri Vinay Harit, Sr. Standing Counsel for the Union of India, for respondent No.1. Shri Sanjay K. Agrawal counsel for the respondent No.2. Following the decision of the Supreme Court in the matter of **Mardia Chemical Ltd. Vs. Union of India (2004 AIR SCW 2541)**, the writ petition stands dismissed. However, it is made clear that where a secured creditor has taken action under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in such cases it would be open to borrowers to file appeals under Section 17 of the Act within the limitation as prescribed therefor, to be counted with effect from today. Sd/- Chief Justice Sd/- Fakhruddin Judge	

[पीछे देखिये